

## **REMARKS**

Claims 1-18, 20-21 and 23-29 were examined. Claims 8, 10-12, 21, 23 and 26-27 are amended. Claims 1-7, 18, 20-21 and 23-29 remain in the application.

The Patent Office allows Claims 1-7, 18, 20, 24, 26, 28 and 29 over the prior art of record. The Patent Office rejects Claims 8-13, 21, 23, 25 and 27 under 35 U.S.C. § 102(e). Reconsideration of the rejected claims is respectfully requested in view of the above amendments and the following remarks.

### **I. Claims Rejected Under 35 U.S.C. § 102(e)**

Claims 8-13, 21, 23, 25 and 27 stand rejected under 35 U.S.C. § 102(e) as anticipated by U.S. Patent No. 6,475,925 issued to Braeckelmann *et al.* (hereinafter “*Braeckelmann*.”) Applicants respectfully traverse this rejection.

Applicants note that, to anticipate a claim, every element of the claim must be disclosed within a single reference. Thus, if even one feature of independent Claim 8 is not found in *Braeckelmann*, Applicants respectfully request that the rejection of Claim 8 under 35 U.S.C. § 102(e) as anticipated by *Braeckelmann* be withdrawn.

Claim 8 as herein amended describes a method including introducing a dielectric layer over an etch stop layer between an interconnection line and a contact point, wherein the dielectric layer comprises a plurality of layer portions of alternating material. The thickness and composition of each of the layer portions are selected so that the dielectric layer suppresses substrate reflections during patterning, *e.g.*, for the portion's contribution to the dielectric layer's *optical* properties. *Braeckelmann*, by contrast, discloses a multi-layer dielectric wherein the layers' thickness and composition are selected for their contribution to the *chemical* and *electrical* properties of the resulting dielectric. That the dielectric layer formed by the teachings in *Braeckelmann* has no effective reflection-suppressing quality is implicitly acknowledged at column 4, lines 11-18, where a separate anti-reflective coating **302** is applied over the dielectric layer (and must later be removed, see *Braeckelmann* at column 4, lines 38-40 and Fig. 4).

In fact, *Braeckelmann* teaches away from the structure produced by the method of Claim 8, because the dielectric structure of *Braeckelmann* is dominated by low k dielectric layer 206, specified at 250-1200 nanometers. Such a dielectric has favorable *electrical* properties, but does not have the desired *optical* properties, hence the need for the separate anti-reflective coating.

Accordingly, Applicants respectfully submit that Claim 8 is not anticipated by *Braeckelmann* and requests withdrawal of this rejection. Dependent Claims 9-13, 21, 23, 25 and 27 are submitted as not being anticipated by *Braeckelmann* for at least the reasons given in support of their base Claim 8.

### CONCLUSION

In view of the foregoing, it is believed that all claims now pending, namely Claims 8-13, 21, 23, 25 and 27 patentably define the subject invention over the prior art of record, and are in condition for allowance and such action is earnestly solicited at the earliest possible date. If the Examiner believes that a telephone conference would be useful in moving the application forward to allowance, the Examiner is encouraged to contact the undersigned at (310) 207 3800.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

Dated: 8/9, 2004

  
William T. Babbitt Reg. No. 39,591

12400 Wilshire Blvd.  
Seventh Floor  
Los Angeles, California 90025  
(310) 207-3800

### CERTIFICATE OF MAILING:

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on August 9, 2004.

  
Lillian E. Rodriguez

8-9-04  
August 9, 2004